

IC 31-37-21

Chapter 21. Reports Required for Reviewing Dispositional Decrees

IC 31-37-21-1

Progress report; modification report

Sec. 1. (a) Before a hearing under IC 31-37-20-2 or IC 31-37-20-3, the probation department or the county office of family and children shall prepare a report on the progress made in implementing the dispositional decree, including the progress made in rehabilitating the child, preventing placement out-of-home, or reuniting the family.

(b) Before preparing the report required by subsection (a), the probation department or the county office of family and children shall consult a foster parent of the child about the child's progress made while in the foster parent's care.

(c) If modification of the dispositional decree is recommended, the probation department or the county office of family and children shall prepare a modification report containing the information required by IC 31-37-17 and request a formal court hearing.

As added by P.L.1-1997, SEC.20.

IC 31-37-21-2

Provision of copies of reports and factual summaries of reports

Sec. 2. (a) Except as provided by subsection (b), a report prepared by the state:

- (1) for the juvenile court's review of the court's dispositional decree; or
- (2) for use at a periodic case review or hearing under IC 31-37-20-2 or IC 31-37-20-3;

shall be made available to the child and the child's parent, guardian, guardian ad litem, custodian, or court appointed special advocate within a reasonable time after the report's presentation to the court or before the hearing.

(b) If the court determines on the record that the report contains information that should not be released to the child or the child's parent, guardian, or custodian, the court shall provide a copy of the report to the following:

- (1) Each attorney or a guardian ad litem representing the child.
- (2) Each attorney representing the child's parent, guardian, or custodian.
- (3) A court appointed special advocate.

(c) The court may also provide a factual summary of the report to the child or the child's parent, guardian, or custodian.

(d) In addition to the requirements of subsection (a), any report prepared by the state for the juvenile court's review shall also be made available to any court appointed special advocate within the same time period and in the same manner as required in the case of a parent under subsection (a). However, if under subsection (a) the court determines on the record that the report contains information that should not be released to the parent, the court shall still provide

a copy of the report to any court appointed special advocate.
As added by P.L.1-1997, SEC.20.

IC 31-37-21-3

Admissibility of reports and factual summaries of reports

Sec. 3. (a) Any report may be admitted into evidence to the extent that the report contains evidence of probative value even if the evidence would otherwise be excluded.

(b) If a report contains information that should not be released to the child or the child's parent, guardian, or custodian, a factual summary of the report may be admitted.

(c) The:

- (1) child;
- (2) child's parent, guardian, or custodian; and
- (3) person representing the interests of the state;

shall be given a fair opportunity to controvert any part of the report admitted into evidence.

As added by P.L.1-1997, SEC.20.